

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION GULFPORT**

REPUBLICAN NATIONAL COMMITTEE;
MISSISSIPPI REPUBLICAN PARTY;
JAMES PERRY; and MATTHEW LAMB,

Plaintiffs,

vs.

No. 1:24-cv-25-LG-RPM

JUSTIN WETZEL, *in his official capacity as the clerk and registrar of the Circuit Court of Harrison County*; TONI JO DIAZ, BECKY PAYNE, BARBARA KIMBALL, CHRISTENE BRICE, and CAROLYN HANLER, *in their official capacities as members of the Harrison County Election Commission*; and MICHAEL WATSON, *in his official capacity as the Secretary of State of Mississippi*,

Defendants.

[PROPOSED] INTERVENOR-DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT UNDER
FEDERAL RULES OF CIVIL PROCEDURE 12(B)(1) AND 12(B)(6)

Intervenor-Defendants Disability Rights Mississippi and the League of Women Voters of Mississippi (collectively, the “Intervenor-Defendants”) respectfully move, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), to dismiss Plaintiffs’ Complaint (ECF No. 1) with prejudice for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted, for all reasons set forth in the accompanying Memorandum Brief in Support of this Motion.

Intervenor-Defendants respectfully request that this Court enter an order granting this

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Motion to Dismiss and dismiss Plaintiffs' Complaint with prejudice.

DATED this 21st day of February, 2024.

/s/ Joshua Tom

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Respectfully submitted,

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*Application for admission *pro hac vice*
forthcoming or pending